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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-sixth year

Identical letters dated 10 October 2011 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In follow-up of my letter of 30 September 2011, I regret to inform you that the situation of Palestinian political prisoners and detainees being illegally imprisoned and detained by Israel, the occupying Power, continues to be grave and the conditions in which they are being held continue to deteriorate due to escalating violations against them by the occupying Power, in violation of international law, including international humanitarian law.

As noted earlier, Palestinian prisoners and detainees in Israeli prisons and detention centres began an open-ended hunger strike on 27 September 2011 to protest against a series of oppressive measures by the occupying Power that threaten their lives and deprive them of their basic human rights, guaranteed to them under international law. In this regard, Israel has continued its inhumane treatment of Palestinian prisoners and detainees via a series of illegal and harsh measures, such as collective punishment, which includes forcing them to live in unsanitary and unhygienic conditions; denial of health care; restrictions on family visits; solitary confinement for long periods of time, with some held in isolation for at least 10 years; deprivation of the prisoners' right to education; forced night-time searches of prisoners' cells; and denial of due process. In addition to such measures, in violation of the prisoners' basic human rights, the occupying Power continues to subject Palestinian prisoners and detainees to all forms of psychological and physical maltreatment, such as cuffing their feet and hands, measures of humiliation and intimidation, forced interrogations and, in many cases, torture.

It should be noted that the situation of Palestinian prisoners deteriorated even further after the declaration by the Israeli Prime Minister in June of this year of his plans to further "toughen" conditions on the more than 6,000 Palestinian civilians, including at least 280 children and 38 women, as well as 22 elected officials, who continue to be imprisoned or arbitrarily detained by Israel. Just this past Thursday,

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6 October 2011, six more Palestinians, including three children aged 15, 16 and 17, were arbitrarily detained by the occupying forces in Beit Ummar and Al-Khalil (Hebron), adding to the thousands of Palestinian prisoners and detainees mentioned above.

It is imperative to stress that, as the occupying Power, Israel remains bound by numerous obligations under international law, including humanitarian law and human rights law, with regard to all of its actions in the Occupied Palestinian Territory, including East Jerusalem, including vis-à-vis the civilians it imprisons or detains. Article 76 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War clearly defines the rights of protected persons faced with detention by an occupying Power. Among those rights is the right to remain in the occupied territory during all stages of the detention, including during the serving of prison sentences if convicted, a right that is clearly being violated by the occupying Power as a result of its transfer of prisoners and detainees to areas inside Israel.

The current hunger strike brings the serious matter of the Palestinian civilians being held captive by Israel, the occupying Power, to the fore. The international community must act urgently to address this issue and uphold international law. It has a duty to compel Israel to immediately release the thousands of Palestinian prisoners and detainees it is holding, including the women, children and elected officials. Until they are released, the international community must hold Israel responsible for the lives and well-being of Palestinian prisoners and detainees and must demand that the occupying Power respect its obligations under international law, including humanitarian and human rights law, vis-à-vis its treatment of these protected persons. Their lives are imperilled by the ill treatment they are subjected to while incarcerated by Israel, and their plight has become more acute due to this hunger strike intended to call attention to their dire situation. In this regard, I must inform you that, since 1967, at least 202 Palestinians have already died in Israeli jails due to torture, deprivation of health treatment and deliberate killing.

Today, I am also compelled to inform you of acts of violence and terrorism that continue to be perpetrated by illegal Israeli settlers in recent weeks against Palestinian civilians and their properties in the Occupied Palestinian Territory, including East Jerusalem. The escalating acts of violence, lawlessness and terror being perpetrated by the more than half a million Israeli settlers, many of whom are armed, include the killing of a Palestinian and the serious injury of a disabled person and a youth in a hit-and-run accident in Al-Khalil and the Ramallah area; the burning of the Qusra mosque and the desecration of mosques in the villages of Bir Zeit, Deir Istiya and Yetma; the uprooting, burning and destruction of over 3,000 olive trees and grapevines; the burning of 20 dunums of agricultural land in Bi'lin in response to weekly peaceful protests against the illegal wall; the flooding of 40 dunums of agricultural land in Walaja with sewage from nearby settlements; the burning and destruction of 63 dunums of agricultural land in the villages of Halhoul, Jeet and Deir Dibwan; and the constant harassment and humiliation of Palestinians, including children, on a daily basis by settlers. Such illegal actions by Israeli settlers occur in full view of the occupying forces, who continue to take no action to hold these settlers accountable for their actions and continue to provide them with impunity and protection while they are carrying out these crimes.

The above constitute further confirmation of the dire situation that prevails in the Occupied Palestinian Territory, including East Jerusalem, which requires the

international community's urgent attention. Israel, the occupying Power, must be held responsible for its illegal and provocative actions. The international community cannot continue to stand idly by as the occupying Power perpetrates its criminal and inhumane treatment of Palestinian prisoners and detainees. The international community cannot continue to stand idly by as Israel continues to colonize the Palestinian territory, allowing its illegal settlers to rampage unbridled and to incrementally destroy the viability of the two-State solution for peace. The international community, including the Security Council, must exert timely efforts, including practical measures, to uphold the legal obligation to protect the Palestinian civilian population under occupation, including the prisoners and detainees, to enforce international law and to salvage the chances of achieving peace and security.

This letter is in follow-up to our previous 405 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 30 September 2011 (A/ES-10/533-S/2011/606) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations